



APPROVED

**KITTERY PORT AUTHORITY**  
September 4, 2014 Meeting Minutes  
Council Chambers, Town Hall

Members Present: Bob Melanson, Barry Bush, Vice Chairman, Kelly Philbrook, Tom Smith, Steve Lawrence, Ray Grenier

Members Absent: none

Staff: Acting Harbormaster Paul Bourque

Meeting began at 6:05 p.m.

1. Pledge of Allegiance

2. Minutes: August 7, 2014

Mr. Bush moved to accept the minutes of August 7 as submitted

Mr. Smith seconded

Motion carried unanimously

3. Public Segment

– Dick Draper: Asked about ramp and resolution for commercial fishermen. The assistant harbormasters (Paul Bourque and Alan Breton) have done a good job.

Mr. Melanson: The ramp issue will be resolved to everyone's satisfaction.

– Milton Hall:

• Must be a resident of Kittery to serve on boards and committees.

• Noticed involvement of Human Resources Department in seeking Harbormaster applications. Does the KPA still hire the Harbormaster?

Mr. Melanson: Yes.

• No speed sign in the Back Channel.

– Dan Ford:

• Returned 'no wake' sign to Harbormaster; needs to be replaced in Spruce Creek.

– Ann Grinnell: If a boat is registered on line, would the Harbor Water Usage fee be paid, and was I supposed to pay the fee if I don't have a mooring or tie to a public dock?

Mr. Melanson: If you register on-line, you can avoid the fee. He has met with the Town Clerk to address this problem.

– Barry Fitzpatrick: Observed improvements and congratulates the Board. With the new transient pier system, more supervision and enforcement is needed.

There was no further public comment.

4. Harbormaster Report

– Launch fees collected at Traip and Pepperrell Cove - \$6,887, with \$5,672 from Traip.

– Launch fees collected at transient facility: \$3,663.

– Float repaired at Pepperrell Cove.

– Government street panel box will be finished on September 5; the lock had been broken and was reported to the Police.

- Bathroom at Pepperrell Cove has motion a detector for light and fan, which is constantly running. Motion switch changed to turn off after 15 seconds.
  - Replacement of water saving sink/toilet/urinal is estimated at \$500; completion within next few weeks.
  - Hurricane Season: Peak season end August to mid-September. Engineers assured new floats can be bridled to withstand winds.
  - Earliest removal of floats is now October 21-22.
  - Peter Walsh: Special KPA projects:
    1. Addition to internet connectivity at Harbormaster Shack; video streaming to Police/Dispatch and web site that can be accessed via cell phones. Adding enhanced wi-fi signal to edge of mooring field.
    2. Researched marketing opportunities for transient facility for free print and on-line placement, including Map-Tech to be added to marina directories; Maine Harbors; on-line website and marina directories. Boston Sailing Center has a web site for Kittery and KP, to be updated. Paid marketing includes: Points East, for \$100, can be added to marina directory; Waterways Guide is too expensive, at \$2700 for an advertisement.
    3. Working to link Kittery Harbormaster Website to Town Web site and vice-versa. Working on updating mooring database and waitlist, and convert from Access database to Excel. Mooring and waitlist database will be posted as PDF online.
    4. Facebook page for Kittery Harbormaster. Potential for feedback.
5. Marinas Piers and Floats - Discussion of In-Kind Repair and Replacement of pier at Badgers Island West.

Ms. Philbrook: The existing pier is 9' x42'. 17'x42' is not in-kind replacement; does not believe it is grandfathered; the request should be submitted as an application before the KPA.

Mr. Melanson: The two original bridge piers totaled 17 x 42; when westerly pier rebuilt, it was built as a 9'x42' pier, as it exists on the other side; photo evidence shows remnants of the original pier; the permit has been issued, and the CEO is comfortable with this decision.

Ms. Philbrook: Thinks it is wrong and disagrees with the decision; others who have pilings in place should then get the same treatment; the Knight Avenue property was in kind, but when they added a ramp, they came before the Board; if the Army Corp has an issue, the fault will be with the Board, not the owner. Precedent has now been set.

Mr. Lawrence: Assumed it was grandfathered, but doesn't want to set a precedent by not following the rules.

Mr. Melanson: He will be more prudent in the future and put such requests before the Board.

6. Public Hearing: Wave Attenuation Project  
Discussion of the potential use of blasted rock/dredge spoils from the Eliot Turning Basin/Piscataqua River dredge project for the purpose of enhanced wave mitigation for Kittery's principal anchorage at Pepperrell Cove.  
Jonathan Edgerton, Wright-Pierce Engineers, provided an update and presentation (attached).

Public Comment:

Mark Drummond, Kittery Point: Will this extend to buoy at Fishing Island?

Mr. Edgerton: The details have not been completed; depends upon footprint allowed and amount of material needed. If no constraints, extending would be the goal. The farther out, impact on current ebbs and flows increases, along with sediment deposits. There are no hard and fast answers at this stage.

Dick Draper: Biggest issue is the southerlies; the goal is to knock some of these waves down.

Mr. Melanson: Communication has been made with owners of Fishing and Gooseberry Islands.

Ms. Philbrook: What is the potential cost to the taxpayer?

Mr. Edgerton: The actual disposal could cost nothing; the report is 80% paid via NOA funding so the town can arrive at a decision; habitat assessment will need to be made.

Mr. Melanson: There is no cash outlay by the Town for the report.

Discussion followed regarding sediment control in the waters.

Eddie Howells: How long will structure last? Concerned about impact on Fishing Island, causing erosive effects on the Island due to larger waves.

Mr. Edgerton: Depending on the size of the rock material, benefit could be 50-100 years. The Maine Geological Survey is reviewing the proposal and will address the impact on currents and land areas. The more shallow areas will have less velocity than the main part of the channel.

Mr. Melanson: Easements may be needed for riparian rights areas where these deposits will be made.

Kathy Wolf, Foreside: What is the possibility of contaminate material deposited at Pepperrell Cove, and what is the degree/purpose of wave attenuation?

Mr. Edgerton: If there is the potential for upstream contaminants (i.e. heavy metals), analysis by ACOE will be conducted to understand risks. Blasted ledge material and overburden is where contaminants settle, rather than bedrock. NEPA approval will be required, including additional analysis of what the material is composed of, and where it is going before it is deposited. The purpose of the project is to attenuate waves and provide anchorage protection, primarily from due south/southeast.

Milton Hall: Size of material/tonnage? Need 4-5 ton to hold.

Mr. Edgerton: The material will be a mixed bag.

7. Pepperrell Pier Project - No further discussion.
8. New & Old Business
  - Update of KPA Application
  - Mr. Melanson: Workshop with Council on September 15 at 6:00.
  - Mr. Lawrence: Security camera at Traip. He will follow up on this.
  - Ms. Philbrook: Schedule workshop for update of Rules and Regulations before the end of the year. Mr. Melanson: This will be added to the October agenda.
  - Mr. Melanson: Harbormaster interviews will be held on September 9.
9. Adjourn

Ms. Philbrook moved to adjourn  
Mr. Smith seconded  
Motion carried unanimously

The September 4, 2014 Port Authority meeting ended at 7:22 p.m.  
Submitted by Jan Fisk, September 23, 2014

# Town of Kittery/KPA Wave Attenuation Assessment

**Public Meeting  
September 4, 2014**

Presented by:



## Town of Kittery/KPA Wave Attenuation Assessment

### Agenda

- Study Purpose
- Acknowledge Funding
- Overview / Scope of Study
- Proposed Activities
- Piscataqua River Dredge Project
- Regulatory Elements
- Alternatives
- Timeline
- Public Comment/Questions
- Next Steps



## Town of Kittery/KPA Wave Attenuation Assessment

**Purpose:** To assess the feasibility of enhancing wave attenuation for the protection of Pepperell Cove.



## Town of Kittery/KPA Wave Attenuation Assessment

**Project Funding:** Funded in large part by the State of Maine, though a NOAA Grant from the Maine Coastal Program



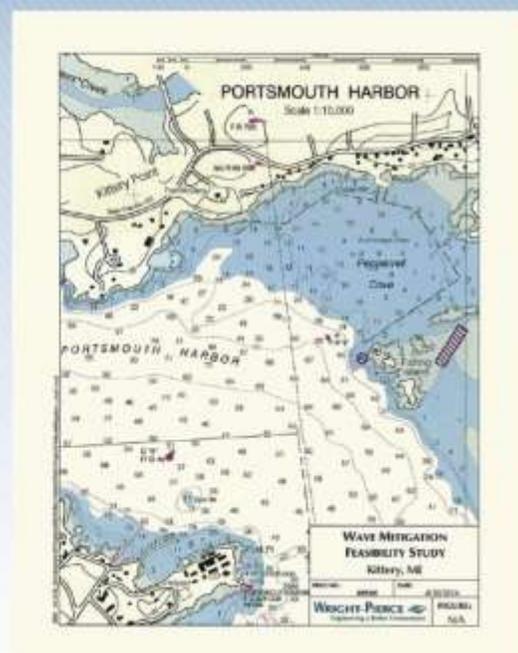
## Wave Attenuation Assessment Scope of the Evaluation

- **Coord. With ACOE**
- **Initial Agency Contacts**
- **Habitat Assessment**
- **Agency Reviews**
- **Wave Action Review**
- **Alternatives Screening**
- **Public Meeting (Sept.)**
- **Issue Draft Plan**
- **Finalize Plan**

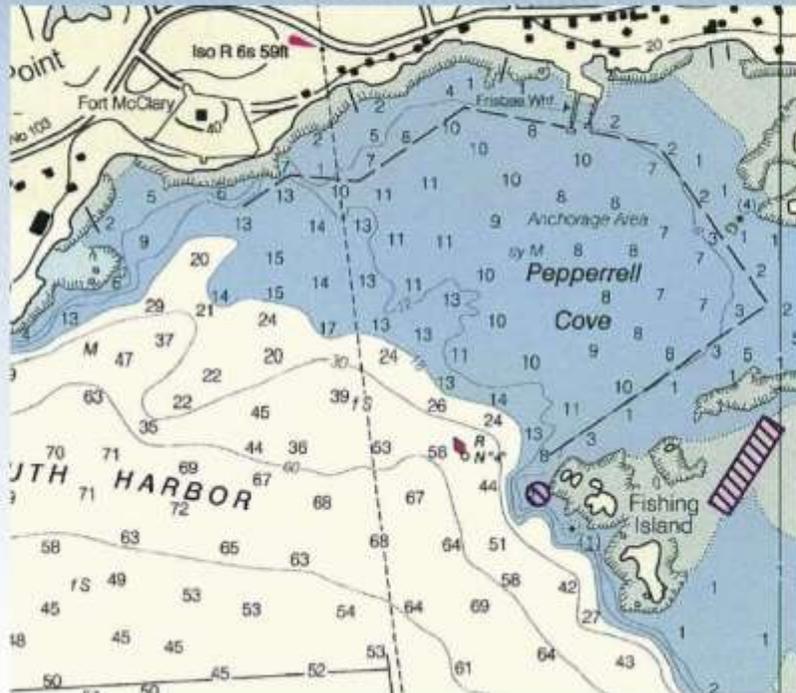


## Wave Attenuation Assessment Proposed Scenario

- **Construction of “artificial reefs”**
- **Use stone from Corps dredge project**
- **Adjacent to Fishing Island and Gooseberry Island**



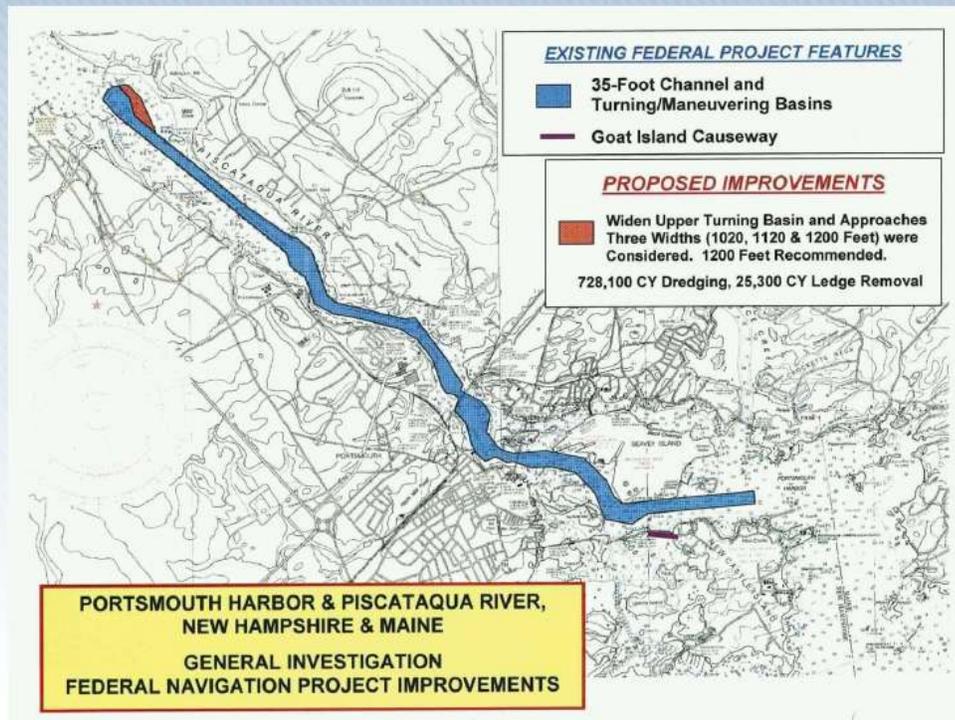
## Proposed Activities



## Wave Attenuation Assessment Piscataqua River Dredge Project

- Corps plans to dredge portions of the existing federal Piscataqua River navigational project
- 400 foot wide channel extends to river mile 8.8
- Two turning basins
- Expansion of upper turning basin will create blasted rock, requiring disposal
- Timeline is still in flux

# Piscataqua River Dredge Project



## Applicable Regulations

- State of Maine
  - Natural Resources Protection Act (NRPA)
- Federal Government
  - Section 404 of CWA
  - Section 10 of Rivers and Harbors Act



## Wave Attenuation Assessment Key Agencies Involved

### State of Maine

- DEP
- DMR
- MGS

### Federal Government

- Corps of Engineers
- NMFS
- USF&WS
- USCG



## Wave Attenuation Assessment Initial Agency Concerns

- Eelgrass
- Winter Flounder
- Sturgeon
- Shellfish beds
- Impacts from direct loss of habitat
- Impacts from changes in sediment deposition patterns



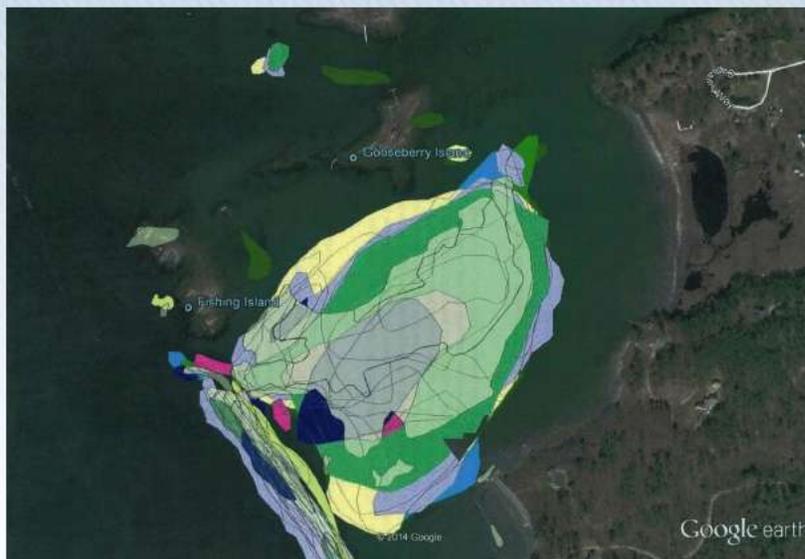
## Wave Attenuation Assessment Habitat Assessment

- Conducted video surveys
- Conducted on-foot surveillance of intertidal zones at low tide
- Confirmed lack of eelgrass
- Crabs, worms, oysters present
- No evidence of clams
- EFH likely limited to winter flounder



## Wave Attenuation Assessment Habitat Assessment

### Historical assessment of eelgrass beds



## Wave Attenuation Assessment Habitat Assessment Screening of Alternatives

- **Required under Federal regulatory process**
- **Floating wave attenuation devices**
- **Coast Guard Facility**



## Wave Attenuation Assessment Project Timeline

- **Tied to federal dredge project timeline**
- **Study needs to be complete by December 31, 2014**



## Wave Attenuation Assessment Next Steps

- 1. Compile Public Feedback Results**
- 2. Continued Agency Coordination**
- 3. Prepare Draft Plan**
- 4. Review Draft with Town Staff/KPA**
- 5. Finalize the Plan**

